

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PHAT040008WO	FOR FURTHER ACTION	See item 4 below
International application No. PCT/IB2005/050500	International filing date (<i>day/month/year</i>) 08 February 2005 (08.02.2005)	Priority date (<i>day/month/year</i>) 17 February 2004 (17.02.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KONINKLIJKE PHILIPS ELECTRONICS N.V.		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 7 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 80%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input checked="" type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Date of issuance of this report 22 August 2006 (22.08.2006)</td> <td style="width: 50%;">Authorized officer Cecile Chatel</td> </tr> <tr> <td colspan="2">e-mail: pt13@wipo.int</td> </tr> </table>	Date of issuance of this report 22 August 2006 (22.08.2006)	Authorized officer Cecile Chatel	e-mail: pt13@wipo.int	
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e-mail: pt13@wipo.int					

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 02 JUN 2005

WIPO

PCT

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To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/IB2005/050500

International filing date (day/month/year)
08.02.2005

Priority date (day/month/year)
17.02.2004

International Patent Classification (IPC) or both national classification and IPC
H04R31/00

Applicant
KONINKLIJKE PHILIPS ELECTRONICS N.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Meiser, J

Telephone No. +49 89 2399-7966



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/050500

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. II Priority

1. ☒ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.
2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/050500

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-19
Inventive step (IS)	Yes: Claims	
	No: Claims	1-19
Industrial applicability (IA)	Yes: Claims	1-19
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:

D1: US-A-2 716 462 (BRENNAN JOSEPH B) 30 August 1955 (1955-08-30)
D2: US-A-2 408 038 (BRENNAN JOSEPH B) 24 September 1946 (1946-09-24)
D3: US-A-3 093 207 (BOZAK RUDOLPH T) 11 June 1963 (1963-06-11)
D4: DE 27 47 067 A1 (ELEKTROTECHNIK EHMANN GMBH; ELEKTROTECHNIK
EHMANN GMBH, 6953 GUNDELSHE) 26 April 1979 (1979-04-26)
D5: US-A-5 961 762 (ZELINKA ET AL) 5 October 1999 (1999-10-05)

2. Art. 6 PCT

The application does not meet the requirements of Article 6 PCT, because claims 1-19 are not clear.

According to the preliminary examination guidelines, chapter 5, 5.05, the claim should contain a statement indicating the designation of the subject-matter of the invention.

This is not met with regard to the statement

"A method of producing a membrane..." in claims 1-9 and

"A device for producing a membrane..." in claims 11-19.

The object of the invention is not the production of a membrane but to influence or modify the material properties of a membrane for an electroacoustic transducer in a targeted manner (cf. e.g. page 2, lines 1-3 and lines 16-18).

3. Art. 33(2) PCT

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of **claims 1 and 11** is not new in the sense of Article 33(2) PCT.

- 3.1 With regard to method **claim 1**, document D1 discloses (the references in parentheses applying to this document):

A method of producing a membrane for an electroacoustic transducer (cf. figure 1), wherein at least one liquid plastic (cf. column 2, lines 30-34 and lines 63-64), in particular a liquid plastic with adhesive properties, is applied at least in part-areas of at least one surface of the membrane and wherein the at least one applied liquid plastic is cured (cf. column 2, line 33 and column 3, line 2).

- 3.2 Furthermore, each of the documents **D2 and D3** discloses all the feature of independent claim 1 in combination.

In detail, **D2** describes a method of producing a membrane for an electroacoustic transducer (cf. figure 1), wherein at least one liquid plastic (cf. column 2, lines 49-53), in particular a liquid plastic with adhesive properties, is applied at least in part-areas of at least one surface of the membrane and wherein the at least one applied liquid plastic is cured (cf. column 3, line 5; column 5, lines 34-35 and lines 71-74).

D3 contemplates a method of producing a membrane for an electroacoustic transducer (cf. figures 1 and 2), wherein at least one liquid plastic (cf. column 2, lines 50-56), in particular a liquid plastic with adhesive properties, is applied at least in part-areas of at least one surface of the membrane and wherein the at least one applied liquid plastic is cured (cf. column 2, lines 60-63).

- 3.3 Apparatus **claim 11** corresponds closely to independent claim 1, in that claim 11 defines respective structural features for each method step of claim 1.

Therefore, each of the documents **D1-D3** discloses all the features of independent **claim 11**.

4. Dependent **claims 2-10 and 12-19** do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and inventive step:

claims 2, 3, 12 and 13: cf. D1, column 2, lines 64-65 and figure 5 or D2, figure 4;
claims 4 and 16: the process of "curing" carried out by means of visible light or UV-light is standard practice for the skilled person, cf. e.g. D5, column 2, lines 31-48 and claims 6, 13 and 18 and figure 3;

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/IB2005/050500

claims 5 and 19: cf. D1, column 2, line 29 and lines 55-72;

claims 6, 14 and 15: cf. D1, column 2, lines 49-63; D2, column 4, lines 40-45 and figure 4;

claims 7-10: cf. D2, column 2, lines 41-44; column 3, lines 40-46; column 5, lines 21-33 and lines 56-60; D3, column 2, line 69 - column 3, line 10; column 4, lines 53-56; D5, page 5, last paragraph and page 9;

claims 17 and 18: the use of an automatically driven conveying system and the selection of different conveying speeds is well known to a person skilled in the art; cf. e.g. D5.